

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MAGLULA, LTD.,

Plaintiff,

v.

AMAZON.COM, INC. and AMAZON.COM
SERVICES, INC.,

Defendants.

Civil Action No. 1:19-cv-01570-LO-IDD

PLAINTIFF MAGLULA, LTD.’S MOTION FOR RULE 37 SANCTIONS

Pursuant to Federal Rule of Civil Procedure 37(b) and Local Civil Rule 37(H), Plaintiff Maglula, Ltd. (“Maglula”) moves the Court to impose sanctions against Defendants Amazon.com, Inc., and Amazon.com Services LLC¹ for their repeated failures to comply with the Court’s November 20, 2020, Order granting Maglula’s Expedited Motion Pursuant to Fed. R. Civ. P. 37(a) to Permit Entry onto Land for Inspection and to Compel Supplemental Response to Interrogatory No. 2. Dkt. No. 163. Pursuant to Local Civil Rule 7(E), the parties met and conferred on December 11, 2020, in a good-faith effort to narrow the area of disagreement. The parties were unable to resolve the issues. The grounds for this motion are fully set forth in the accompanying brief and supporting exhibits.

¹ Effective December 30, 2019, Amazon.com Services, Inc. converted into a Delaware limited liability company, Amazon.com Services LLC.

Dated: December 31, 2020

Respectfully submitted,

/s/ Jeffrey A. Berkowitz

Jeffrey A. Berkowitz (Virginia Bar 65149)

jeffrey.berkowitz@finnegan.com

John Mulcahy (Virginia Bar 71305)

john.mulcahy@finnegan.com

Jency J. Mathew (*pro hac vice*)

jency.mathew@finnegan.com

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, LLP

1875 Explorer Street, Suite 800

Reston, VA 20190-6023

Telephone: (571) 203-2700

Facsimile: (202) 408-4400

Gerald F. Ivey (*pro hac vice*)

gerald.ivey@finnegan.com

Danny M. Awdeh (*pro hac vice*)

danny.awdeh@finnegan.com

Naresh Kilaru (*pro hac vice*)

naresh.kilaru@finnegan.com

David K. Mroz (Virginia Bar 94011)

david.mroz@finnegan.com

Sonja W. Sahlsten (*pro hac vice*)

sonja.sahlsten@finnegan.com

Jorge F. Gonzalez (*pro hac vice*)

jorge.gonzalez@finnegan.com

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, LLP

901 New York Avenue, NW

Washington, DC 20001-4413

Telephone: (202) 408-4000

Morgan E. Smith (*pro hac vice*)

morgan.smith@finnegan.com

Benjamin F. Tookey (*pro hac vice*)

benjamin.tookey@finnegan.com

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, LLP

3300 Hillview Avenue

Palo Alto, CA 94304

Telephone: (650) 849-6600

Counsel for Plaintiff Maglula, Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2020, I electronically filed the foregoing PLAINTIFF MAGLULA, LTD.'S MOTION FOR RULE 37 SANCTIONS with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

/s/ Jeffrey A. Berkowitz

Jeffrey A. Berkowitz (Virginia Bar No. 65149)

jeffrey.berkowitz@finnegan.com

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, LLP

1875 Explorer Street, Suite 800

Reston, VA 20190-6023

Telephone: (571) 203-2700

Facsimile: (202) 408-4400

Counsel for Plaintiff Maglula, Ltd.